

- 11 -

Drawings

Figure 1 has been amended to designate reference numeral "44" as the Browser Interface. An amended drawing sheet of Figure 1 is attached.

Figure 2 has been amended to replace numeral "39" with numeral "42".

Amendments have been made to the specification to indicate that reference numerals 50, 52 and 58 are "not shown" in the drawings.

- 12 -

Remarks

The Agent for Applicant presents original claims 2, 4-7, 9, 12-14 and 17-20 and currently amended claims 1, 3, 8, 10, 11 and 16 for reconsideration by the Examiner.

Claim Rejections – 35 USC § 112

Claim 8 has been amended by deleting “electronic”. The “workflow” as claimed in Claim 8 is described in the specification, and specifically on page 11 in the third paragraph of the description. Similarly, Claim 16 meets this requirement for the same reason, however, further amendments have been made for clarification purposes.

Claim Rejections – 35 USC § 102

The Examiner rejected claims 1-3, 5-11, 13-20 based on anticipation by United States Patent No. 5,794,234, issued to Church et al. (“Church”).

Church discloses generally an integrated business transaction system for addressing the various incompatible data formats utilized by different trading partners engaged in electronic transactions with one another. Church discloses a particular integrated business transaction system whereby the transaction data of the various trading partners is converted to a universal data for processing. This aspect of Church is described throughout the disclosure, including in Col. 2, lines 33-54.

Claim 1 has been amended to clarify the thrust of Applicant’s invention, as has been clearly described in the description.

The “server computer” of the present invention (or rough equivalent of the “network server” as per Church) includes a “supply chain data exchange means”. The words “supply chain” have been added so that it is clear that the purpose and function of the particular “exchange means” of the present invention, as claimed, is to enable processing of transactions in accordance with the respective requirements of the “users” (or “trading partners” in accordance with Church). Church is not concerned with reflecting any requirements related to the “supply chain” of “trading partners” in its “network server”. The “network server” in connection with content of the incoming data transactions *per se* fulfils a routing function. Church does not provide a “supply chain data exchange means” in accordance with the present invention.

Significantly, the present invention includes "means for receiving and implementing processing instructions corresponding to business rules..." of the users. In other words, rather than translating data transactions meeting certain specific requirements (as described Figs. 5A to 5B of Church) to a universal format, all that is required is for the "supply chain data exchange means" to be provided with the "business rules", which it is operable to implement and apply as claimed in claim 1.

The present invention provides a completely different architecture than what is described in Church in that the various electronic commerce functions are actually fulfilled by the "server computer" of the present invention and not on the "client computers". In other words, Church describes essentially a routing function of the "network server" as between multiple "client computers" working with incompatible data formats. Church focuses so much on the accounting system aspect (and arguably does not provide adequate disclosure in regard to electronic commerce generally, in the sense of what is provided for in accordance with Claim 1) that it is difficult to understand the nature of the overall electronic transaction system that is mentioned in Church. However, Col. 13, line 34 to Col. 14, line 4 is the clearest in this regard in that it shows clear that Church contemplates a mere "exchange" of transactions between incompatible systems, rather than the actual processing of the transaction on behalf of the various "trading partners" as claimed in Claim 1.

In other words, Church represents a specific example of the type of technology described in the Application that is unrelated to the present invention: see for example Page 3, Paragraph 2 to Page 4, Paragraph 1 of the specification.

The functions of the "supply chain data exchange means", as claimed in claim 1, are completely different than those of the "network server" as per Church, as further explained below.

The bulk of the Church disclosure focuses on achieving compatibility between different accounting systems. To the extent that claims are made in Church to a broader business transaction system that would enable electronic commerce generally between "trading partners" no such system is adequately disclosed in Church. Agent for Applicant submits that Church does not constitute non-analogous art in the sense that the other than in relation to accounting systems, there is inadequate disclosure to cite Church as providing a "supply chain data exchange" for

- 14 -

conducting electronic commerce generally, and the focus of the present invention is not to allow accounting systems to speak to one another. In other words, Agent for Applicant submits with respect that it is not appropriate to cite Church as anticipating the present invention.

As a general comment, it is important to note, that Church does not refer to "business rules" at all, nor to any other element or term that can be taken to mean the "business rules" as claimed in the present invention. This is critical, as one of the significant advantages of the present invention, is that the "users" need only provide the "business rules" that they have for processing data transactions. Their data transactions themselves do not have to comply with requirements related to enabling translation to the universal file format, as described in Church, and as particularly illustrated in Figs. 5A to 5F. These specific requirements in Church represent significant limitations to the type of file formats that the "network server" can handle, and therefore very often will require changes in the systems used by the various "users". This is contrary to what is claimed in Claim 1, because the present invention achieves complete transparency because there is no "universal file format" rather the translation means of Claim 1 is configured to enable the data transactions to be translated to the various electronic formats used by the other users.

Also:

- Col. 7, lines 5-6, 41-43; Col. 8 lines 14-15, and Col. 12, lines 1-3 – do not describe the "means for receiving and implementing processing instructions corresponding to business rules" as per Claim 1 of the present invention. Church does not describe obtaining the business rules and receiving and implementing these in the "network server". The "rules" discussed in Church specifically have to do with a particular application of accounting approvals in the context of Church's architecture as described above. If one extends the meaning of Church beyond what is specifically described, Church provides means for enabling the data elements that comply with the described universal file format. In accordance with the present invention, all that is required is provision of the "business rules" that define how the "users" process data transactions, and then the "data exchange means" is operable to process data transactions accordingly without the need to

have previously translated these data transaction, or to conform to the standard data elements as clearly illustrated in Figs. 5A to 5G in Church.

- None of the citations from Church suggested by Examiner properly describe "mapping". This is of course because the processing of data transactions in the true sense of electronic commerce, if one extends the Church disclosure to provide this type of solution, happens at each of the client computers with the "network server" offering a routing capability in between with processing capability that falls short of the full processing that would require "mapping" on the "network server" end.
- the "electronic commerce means" of Church does not enable data transactions to be processed according to "business rules". The "electronic commerce means" of Church does not anticipate an implementation of these "business rules" at all.

The above comments also apply in connection with Claims 10 and 18, 19 and 20, and similar amendment have been made as in the case of Claim 1 to highlight the differences between the present invention and Church.

Agent for Applicant respectfully submits that neither Church nor any other prior art reference discloses the feature of the present invention, as described above.

Claim Rejections – 35 USC § 103

The Examiner rejected claims 4 and 12 as being unpatentable over church in view of Redlich and further in view of Gundersen at al. In response, Agent for Applicant respectfully submits that these prior art references, individually or in sum, do not disclose subject matter such that the present invention would have been obvious at the time the invention was made to a person having ordinary skill in the art, because these claims are dependent and it would have not been obvious to provide the subject matter of these claims. In particular, these claims related not just to any data exchange system in accordance with an open standards architecture, but the data exchange system as particularly described which is highly novel, and different from the prior art as explained above; provides a surprising solution to the problem of processing data transactions between different computers with different application; the solution of the present invention has attracted significant acclaim and interest as being a new and unexpected innovation in the

- 16 -

industry. The present invention constitutes an ingenious response for the problems described in the specification. Had the present invention been obvious, then it would have been previously devised. All of this is suggestive of an inventive step.

For the above-mentioned reasons, alone and in combination, Agent for Applicant respectfully submits that no case of obviousness has been made out with respect to any of the claims.

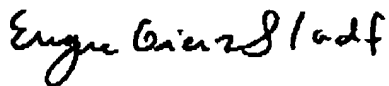
Conclusion

In view of the foregoing amendments and remarks, the application is believed to be in condition for allowance and a notice to that effect is respectfully requested.

Should the Examiner not find the application to be in allowable condition or believe that a conference call would be of value in expediting the prosecution of the application, Applicants request that the Examiner telephone the undersigned Counsel to discuss the case.

Applicant requests an opportunity to submit any Supplemental Amendment that might advance prosecution and place the Application in allowable condition.

Yours faithfully,



Agent for Applicant
Eugene J.A. Gierczak
(Registration No. 31,690)
MILLER THOMSON LLP
Barristers & Solicitors
20 Queen Street West, Suite 2500
Toronto, Ontario Canada M5H 3S1
Telephone No. 416.596.2132
Telecopier No. 416.595.8695
EJAG/ADF/mm
Encl.